

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BRIDGE STREET AUTOMOTIVE,
INC., et al.,

Plaintiffs,

v.

GREEN VALLEY OIL, LLC and
ARFA ENTERPRISES, INC.,

Defendants.

CIVIL ACTION
NO. 12-10750-PBS

**REPORT AND RECOMMENDATION ON PLAINTIFF
GABY ELNAKLE'S MOTION TO VACATE DISMISSAL**

April 29, 2014

DEIN, U.S.M.J.

I. INTRODUCTION

This action was brought by a group of seventy-four gasoline station owners against defendants, Green Valley Oil, LLC ("Green Valley") and ARFA Enterprises, Inc. ("ARFA"), to recover, among other things, security deposits that were held by Green Valley in its capacity as the plaintiffs' landlord and gasoline supplier. Over the course of the litigation, seventy-three of the plaintiffs were dismissed from the action due to lack of prosecution or as a result of a settlement. Consequently, only one plaintiff, Gaby Elnakle, d/b/a G&E Getty ("Elnakle"), continued to pursue the litigation. On November 6, 2013, the court granted ARFA's motion for summary judgment on all of Elnakle's

8/12/14

I adopt the report and recommendation
and vacate the order of dismissal.
This ruling is without prejudice to
defendants' right to challenge subject
matter jurisdiction. Paul S. Jaro